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Attorneys for Defendant

INTERNATIONAL BUSINESS

MACHINES CORPORATION

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

MAY 12 2008

at 4 o'clock and 30 min. P.M.  
SUE BEITIA, CLERK

LODGED

MAY 09 2008 3:35 PM

CLERK, U.S. DISTRICT COURT  
DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

RSI CORP., dba RESPONSIVE SYSTEMS  
COMPANY, a New Jersey corporation,

Plaintiff,

vs.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION; and DOE DEFENDANTS  
1-20,

Defendants.

CIVIL NO. CV 08-00066 JMS/BMK

EX PARTE APPLICATION FOR  
ADMISSION *PRO HAC VICE* OF SHON  
MORGAN; DECLARATION OF  
SHIRLEY M. KAWAMURA;  
DECLARATION OF SHON MORGAN;  
ORDER GRANTING *EX PARTE*  
APPLICATION FOR ADMISSION *PRO*  
*HAC VICE* OF SHON MORGAN;  
CERTIFICATE OF SERVICE

Assigned to the Hon. J. Michael Seabright  
No Trial Date Has Been Set

EX PARTE APPLICATION FOR ADMISSION PRO HAC VICE OF SHON MORGAN


Pursuant to Local Rule ("LR") 83.1(e) of the Local Rules of Practice for the United States District Court for the District of Hawaii, Defendant International Business Machines Corporation ("IBM" or "Defendant") hereby moves this Court *ex parte* for an Order permitting Shon Morgan, Esq. of the law firm of Quinn Emanuel Urquhart Oliver & Hedges, LLP to appear and be associated as co-counsel with Kawashima Lorusso & Harada, LLP on behalf of IBM before this Court.

This application is made in accordance with LR 83.1(e) and is based on the Declarations of Shirley M. Kawamura, Esq. and Shon Morgan, Esq. attached hereto.

DATED: Honolulu, Hawaii  
April 8, 2008  
*may*

KAWASHIMA LORUSSO & HARADA, LLP

By: \_\_\_\_\_

  
Shirley M. Kawamura  
Attorney for Defendant  
INTERNATIONAL BUSINESS  
MACHINES CORPORATION

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

RSI CORP., dba RESPONSIVE SYSTEMS  
COMPANY, a New Jersey corporation,

Plaintiff,

vs.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION; and DOE DEFENDANTS  
1-20,

Defendants.

**CIVIL NO. CV 08-00066 JMS/BMK**

DECLARATION OF SHIRLEY M.  
KAWAMURA

**DECLARATION OF SHIRLEY M. KAWAMURA**

I, SHIRLEY M. KAWAMURA, declare as follows:

1. I am an attorney licensed to practice law before all the state and federal courts in the State of Hawaii and am one of the attorneys for International Business Machines Corporation ("IBM") in the above-entitled action.

2. This Declaration is made in lieu of an affidavit pursuant to Local Rule 7.6, Rules of the United States District Court for the District of Hawaii, as amended.

3. I make this Declaration in support of the foregoing *ex parte* application for admission and association of Shon Morgan, Esq. with the firm of Kawashima Lorusso & Harada, LLP.

4. Shon Morgan, Esq. is licensed to practice law in California and is fully qualified to represent IBM in the above-entitled action.

5. Mr. Morgan and his firm, Quinn Emanuel Urquhart Oliver & Hedges, LLP, have specially appeared as counsel for IBM in various matters around the country, and possess a detailed knowledge of IBM's business affairs, operations, and history.


6. I believe the attorney-client relationship and familiarity that has developed between Shon Morgan, Quinn Emanuel Urquhart Oliver & Hedges, LLP and IBM will substantially facilitate representation of IBM in this litigation.

7. On behalf of the law firm of Kawashima Lorusso & Harada, LLP, I consent and recommend that Shon Morgan, Esq. be permitted to appear and be associated as co-counsel with the law firm of Kawashima Lorusso & Harada, LLP in the presentation of matters herein before this Court.

I declare under penalty of law that the foregoing is true and correct to the best of my knowledge and belief.

DATED: Honolulu, Hawaii, \_\_\_\_\_

MAY 09 2008



SHIRLEY M. KAWAMURA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

RSI CORP., dba RESPONSIVE SYSTEMS  
COMPANY, a New Jersey corporation,

Plaintiff,

vs.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION; and DOE DEFENDANTS  
1-20,

Defendants.

**CIVIL NO. CV 08-00066 JMS/BMK**

**DECLARATION OF SHON MORGAN**

**DECLARATION OF SHON MORGAN**

I, SHON MORGAN, declare as follows:

1. I make this Declaration pursuant to Local Rule 7.6, Rules of the United States District Court for the District of Hawaii, as amended, and in support of my application to appear *pro hac vice* in the above-captioned action.

2. I am actively licensed by the State of California since 1997, and am currently a partner at the firm of Quinn Emanuel Urquhart Oliver & Hedges, LLP, located at 865 South Figueroa Street, 10th Floor, Los Angeles, California 90017.

3. I do not reside in Hawaii, nor am I regularly employed in Hawaii; I am also not regularly engaged in business, professional, or law-related activities in Hawaii.

4. I am a resident of Los Angeles, California; my address is 2408 Nottingham Avenue, Los Angeles, California 90027.

5. I am a member in good standing of the State Bar of California, and am licensed to practice before all courts, including the highest courts, of that state.

6. I have never been the subject of any suspension, disbarment or other disciplinary sanctions by any court in any jurisdiction.

7. No disciplinary charges are pending against me.

8. In the year preceding the present application, I have not made any *pro hac vice* application in this Court.


9. Defendant IBM has requested that I represent them in association with James Kawashima, Esq., Shirley M. Kawamura, Esq., and the law firm of Kawashima Lorusso & Harada, LLP, in the above-captioned litigation.

10. Any appearance I make in this action on behalf of IBM will be in association with James Kawashima, Esq., Shirley M. Kawamura, Esq., and the law firm of Kawashima Lorusso & Harada, LLP.

11. If admitted, I will abide by all applicable rules and procedures of the State of Hawaii and the U.S. District Court for the District of Hawaii as well as any other orders of this Court.

I declare under penalty of law that the foregoing is true and correct to the best of my knowledge and belief.

DATED: Los Angeles, California, April 29, 2008

  
SHON MORGAN

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

RSI CORP., dba RESPONSIVE SYSTEMS  
COMPANY, a New Jersey corporation,

Plaintiff,

vs.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION; and DOE DEFENDANTS  
1-20,

Defendants.

**CIVIL NO. CV 08-00066 JMS/BMK**

ORDER GRANTING *EX PARTE*  
APPLICATION FOR ADMISSION *PRO*  
*HAC VICE* OF SHON MORGAN

Assigned to the Hon. J. Michael Seabright  
No Trial Date Has Been Set

ORDER GRANTING *EX PARTE* APPLICATION FOR  
ADMISSION *PRO HAC VICE* OF SHON MORGAN

Upon due consideration of Defendant International Business Machines Corporation's  
("IBM") *Ex Parte* Application for Admission *Pro Hac Vice* of Shon Morgan, the Declarations of  
Shirley M. Kawamura, Esq. and Shon Morgan, Esq., and finding good cause therefor,

IT IS HEREBY ORDERED that the Ex Parte Motion is GRANTED and that Shon  
Morgan, Esq. is admitted *Pro Hac Vice* in this matter as co-counsel with the law firm of  
Kawashima Lorusso & Harada, LLP.

DATED: Honolulu, Hawaii, 5.12.2008

  
\_\_\_\_\_  
JUDGE OF THE ABOVE-ENTITLED COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

RSI CORP., dba RESPONSIVE SYSTEMS  
COMPANY, a New Jersey corporation,

Plaintiff,

vs.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION; and DOE DEFENDANTS  
1-20,

Defendants.

**CIVIL NO. CV 08-00066 JMS/BMK**


CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was duly served on the following by  
depositing same in the United States Mail, postage prepaid, addressed to the following last  
known address:

ROBERT D. TRIANTOS  
EDMUND W.K. HAITSUKA  
CARLSMITH BALL LLP  
75-1000 Henry Street, Suite 209  
P.O. Box 1720  
Kailua-Kona, HI 96745-1720  
Attorney for Plaintiff  
RSI Corp.

DATED: Honolulu, Hawaii, MAY 09 2008

  
SHIRLEY M. KAWAMURA  
Attorneys for Defendant  
International Business Machines Corporation